

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

MARGARET ELLISON,

Plaintiff,

vs.

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY,

Defendant.

No. CV 19-05-BU-SEH

ORDER

A hearing on Defendant's Motion to Strike Damages Expert Barb Cook¹ and Defendant's Motions in Limine² was held on May 7, 2020.

Upon the record made in open court,

ORDERED:

Defendant's Motion to Strike Damages Expert Barb Cook³ is DENIED, subject, if appropriate, to renewal at trial.

¹ Doc. 23.

² Doc. 25.

³ Doc. 23.

Defendant's Motions in Limine⁴ are GRANTED IN PART and DENIED IN PART as follows:

1. The Court RESERVES ruling on Defendant's Motion in Limine No. 1 to exclude evidence of Plaintiff's claims for future surgery and related medical expenses.
2. Defendant's Motion in Limine No. 2 to exclude reference to damages other than those expressly claimed is GRANTED IN PART. Plaintiff's damages proof at trial will be limited to damages computations of: (1) past medical expenses (\$17,703.08); (2) future medical expenses (\$72,170); and (3) pain and suffering (\$100,000).
3. Defendant's Motion in Limine No. 3 to Exclude Reference to Injuries or Medical Treatment Not Provided for in Plaintiff's Medical Records or Not Diagnosed to a Reasonable Degree of Medical Certainty is DENIED, subject to renewal at trial as an objection to undisclosed expert testimony.
4. Defendant's Motion in Limine No. 4 to Exclude Any Pejorative or Abusive References to the Fact that State Farm is an Insurance Company is GRANTED IN PART, as stated on the record.
5. Defendant's Motion in Limine No. 9 to Exclude Reference to the


⁴ Doc. 25.

Limit of Laurie Laurenz's Liability Insurance or the Amount of Such Insurance Paid to Plaintiff is DENIED.

6. Defendant's Motion in Limine No. 12 to Exclude Reference to Settlement Negotiations is GRANTED.

7. Defendant's Motions in Limine Nos. 5, 6, 7, 8, 10, 11, 13, and 14 are not opposed and are GRANTED.

DATED this 13th day of May, 2020.



SAM E. HADDON
United States District Judge